

petition to this Court. *See Notice of Removal*, Case No. 12cv1896-MMA (BLM) (the “removed action”). The removed action was transferred to the undersigned pursuant to the Low Number Rule. *See* Doc. No. 3 (12cv1896). As such, the two pending actions are related but have not been consolidated. On August 14, 2012, Fidelity filed a motion to consolidate the two actions. *See* Doc. No. 7 (12cv1671); Doc. No. 5 (12cv1896). Brown has filed a notice of non-opposition to the motion. *See* Doc. No. 8 (12cv1671).

ORDER OF CONSOLIDATION

Federal Rule of Civil Procedure 42(a) provides that “[w]hen actions involving a common question of law or fact are pending before the court, it . . . may order all actions consolidated” A district court has “broad discretion under this rule to consolidate cases pending in the same district.” *Investors Research Co. v. United States Dist. Ct.*, 877 F.2d 777 (9th Cir. 1989). The rule seeks to provide the district court with broad discretion to decide how cases on its docket are to be tried so that the business of the court may be dispatched with expedition and economy while providing justice to the parties. *See Huene v. United States*, 743 F.2d 703, 703 (9th Cir. 1984); *Lewis v. City of Fresno*, 2009 U.S. Dist. LEXIS 57083, at *2–*3 (E.D. Cal. 2009).

Having reviewed the petitions in both actions, the Court finds that they involve the same parties and share overlapping factual and legal claims. The claims arise out of a common nucleus of facts and events. Accordingly, the Court finds that the 12cv1671 action and the 12cv1896 action involve common questions of fact and law. Moreover, the Court concludes that consolidation would serve the interests of judicial economy, while creating little, if any, potential for delay, confusion, or prejudice. Therefore, pursuant to Rule 42(a), the Court **GRANTS** Fidelity’s motion to consolidate. The 12cv1671-MMA (BLM) action is hereby consolidated with the 12cv1896-MMA (BLM) action. All future filings shall be under Civil Case No. 12cv1671-MMA (BLM).

IT IS SO ORDERED.

DATED: September 19, 2012



Hon. Michael M. Anello
United States District Judge